

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

ACTIAN CORPORATION et al.,

Defendants.

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REALTIME DATA LLC d/b/a IXO,

Plaintiff,

v.

SAP AMERICA INC. et al.,

Defendants.

Case No. 6:15-cv-463-RWS-JDL

LEAD CASE

JURY TRIAL DEMANDED

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Case No. 6:15-cv-469-RWS-JDL

MEMBER CASE

JURY TRIAL DEMANDED

**ORDER OF DISMISSAL**

WHEREAS, Plaintiff Realtime Data, LLC ("Plaintiff") and Defendants SAP America Inc. and Sybase Inc. ("Defendants") have jointly filed a "Joint Stipulation of Dismissal With Prejudice" pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedures;

The Court now finds that an order dismissing all claims asserted by Plaintiff against Defendants and all counterclaims asserted by the Defendants against Plaintiff should be entered,

IT IS THEREFORE ORDERED that all claims asserted by Plaintiff against Defendants and all counterclaims asserted by Defendants against Plaintiff are dismissed with prejudice, each party to bear its own costs and fees;

IT IS FURTHER ORDERED that all claims, defenses, and/or counterclaims brought in action number 6:15-cv-469-RWS-JDL ("the '469 action") against Hewlett-Packard Co., Hewlett Packard Enterprise Co., HP Enterprise Services, LLC, and Dell Inc., are hereby dismissed without

prejudice. This dismissal has no effect on Plaintiff's claims, defenses, and/or counterclaims made against Hewlett-Packard Co., Hewlett Packard Enterprise Co., HP Enterprise Services, LLC, and Dell Inc. in other actions (including civil action number 6:15-cv-463-RWS-JDL ("the '463 action")). This dismissal has no effect on the claims, defenses, and/or counterclaims made by Hewlett-Packard Co., Hewlett Packard Enterprise Co., HP Enterprise Services, LLC, or Dell Inc. against Plaintiff in other actions (including the 463 action). Each party shall bear its own attorneys' fees, expenses, and costs for the 469 action, and Plaintiff, Defendant SAP America Inc., and Defendant Sybase Inc. shall bear their own attorneys' fees, expenses, and costs for the 463 action.

**SIGNED this 2nd day of August, 2016.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE